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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 9432-181/POA	**FOR FURTHER ACTION**	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US03/09881	International filing date *(day/month/year)* 31 March 2003 (31.03.2003)	Priority date *(day/month/year)* 05 April 2002 (05.04.2002)
International Patent Classification (IPC) or national classification and IPC IPC(7): H04J 15/00 and US Cl.: 370/463		
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

   These annexes consist of a total of 6 sheets.

3. This report contains indications relating to the following items:

   - I ☒ Basis of the report
   - II ☐ Priority
   - III ☐ Non-establishment of report with regard to novelty, inventive step and industrial applicability
   - IV ☐ Lack of unity of invention
   - V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
   - VI ☐ Certain documents cited
   - VII ☐ Certain defects in the international application
   - VIII ☐ Certain observations on the international application

Date of submission of the demand 31 October 2003 (31.10.2003)	Date of completion of this report 29 April 2004 (29.04.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230	Authorized officer Huy D Vu Telephone No. 703.305.4750

Form PCT/IPEA/409 (cover sheet)(July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US03/09[redacted]

I. Basis of the report

1. With regard to the elements of the international application:*

☐ the international application as originally filed.

☒ the description:
pages 1-9 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

☒ the claims:
pages NONE, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages 10-14A, filed with the letter of 30 March 2004 (30.03.2004)

☒ the drawings:
pages 1-8, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

☐ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination(under Rules 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages NONE

☐ the claims, Nos. NONE

☐ the drawings, sheets/~~fig~~ NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

** Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).*
*** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.*

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US03/09

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims	8-10,15,29-31,43,44,47	YES
	Claims	1-7,11-14,16-28,32-42,45,46	NO
Inventive Step (IS)	Claims	NONE	YES
	Claims	1-47	NO
Industrial Applicability (IA)	Claims	1-47	YES
	Claims	NONE	NO

2. CITATIONS AND EXPLANATIONS
Please See Continuation Sheet

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

V. 2. Citations and Explanations:
Claims 1-7, 11-14, 16-28, 32-42, 45 and 46 lack novelty under PCT Article 33(2) as being anticipated by KUNKEL et al (US 5961603).

Regarding claims 1, 11, 22, 32, 36, 42, 45 and 46, Kunkel teaches a portal system employing a handheld media delivery device comprising: an input (e.g., via keyboard, mouse, remote, see col. 4, lines 11-22 and FIG. 1) adapted to receive a request for additional media content (e.g., see col. 4, lines 30-58 regarding requests for more detailed information associated with the broadcast) from the handheld media delivery device (e.g., remote control device 23), wherein the handheld media delivery device (e.g., 23) is adapted to receive broadcast media content having media content information (e.g., broadcast video programming having ID tags referencing hyperlink information, see col. 5, lines 26-43 and lines 57-64), adapted to formulate the request based on the media content information (e.g., see col. 8, lines 44-46 regarding hyperlinking commands), adapted to communicate the request for additional media content to the portal system (e.g., communicating to the headend, see col. 8, lines 46-58), adapted to receive the additional media content from the portal system (e.g., via headend 14 coupled to network 18 and terminals 20, see col. 6, lines 33-56 regarding processor 54 in headend 14 for sending and receiving requests), and adapted to deliver the additional media content to a consumer (e.g., via HTML data); a retrieval mechanism (e.g., communications controller 70, see col. 13, lines 4-8) adapted to retrieve additional media content based on the request; and an output (e.g., output coupling server 50 to network 16, see FIG. 2) adapted to communicate the additional media content to the handheld media delivery device, thereby supplementing the media content. Furthermore, the additional limitation of the system of claims 1, 11, 22, 32 and 42 having local queuing lacks novelty.

Regarding claims 2, 18, 23 and 39, Kunkel teaches a request parser (e.g., diplex filter 86, see col. 7, lines 56-66) is adapted to parse the request.

Regarding claims 3, 12, 24 and 33, Kunkel teaches the output is adapted to acknowledge the request by sending an acknowledgement to the handheld media delivery device (e.g., see col. 9, lines 49-59).

Regarding claims 4, 5, 16, 17, 25, 26, 37 and 38, Kunkel teaches a data packetizer is adapted to packetize the media content (e.g., see col. 9, lines 34-48 regarding downstream packet, which is inherently packetized by a packetizer).

Regarding claims 6 and 27, Kunkel teaches the retrieval mechanism is adapted to retrieve the additional media content from local server memory (e.g., local server memory 44/46).

Regarding claims 7 and 28, Kunkel teaches the retrieval mechanism is adapted to retrieve the additional media content from a remote location via a communication system (e.g., remote database 42).

Regarding claims 13, 14, 19, 20, 34, 35, 40 and 41, Kunkel further teaches a request status manager is adapted to update the status of a request based upon an acknowledgement and the user interface is able to communicate the status of the request to the consumer (e.g., see col. 9, line 35 - col. 10, line 36 regarding communications controller 70 and housekeeping payloads).

Regarding claim 21, Kunkel teaches determining whether a connection to the system is available, queue requests locally, and store requests until a connection is available (e.g., see col. 11, line 51 - col. 12, line 62).

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

Claims 8-10, 29-31, 43, 44 and 47 lack an inventive step under PCT Article 33(3) as being obvious over KUNKEL in view of FREEMAN et al (US 2001/0013123 A1).

Regarding claims 8 and 29, Kunkel teaches the system discussed above regarding claims 1 and 27, however, may not specifically disclose a user profile manager for updating user profiles. However, Freeman also teaches a media delivery device and further teaches a user profile manager (e.g., see user information database 136 in FIG. 1a) is adapted to update a user profile based on a request (e.g., see paragraphs 0009-0010). The teachings of Freeman provide improved compatibility between advertisements and user preferences for media viewing (e.g., see paragraph 0008). Thus, at the time of the invention one of ordinary skill in the art would be motivated to apply the teachings of Freeman to the system of Kunkel in order to provide improved compatibility between advertisements and user preferences for media viewing.

Regarding claims 9, 15 and 30, Freeman teaches a back channel (e.g., see paragraph 0014 regarding backchannel communication link) is adapted to communicate the user profile to a media content provider (e.g., transmission center 102). As discussed above, the teachings of Freeman provide improved compatibility between advertisements and user preferences for media viewing (e.g., see paragraph 0008). Thus, at the time of the invention one of ordinary skill in the art would be motivated to apply the teachings of Freeman to the system of Kunkel in order to provide improved compatibility between advertisements/and user preferences for media viewing.

Regarding claims 10 and 31, Freeman teaches an input (e.g., 148) is adapted to receive a request based on media content information targeted to the user profile. As discussed above, the teachings of Freeman provide improved compatibility between advertisements and user preferences for media viewing (e.g., see paragraph 0008). Thus, at the time of the invention one of ordinary skill in the art would be motivated to apply the teachings of Freeman to the system of Kunkel in order to provide improved compatibility between advertisements and user preferences for media viewing.

Regarding claims 43, 44 and 47, Freeman further teaches information is an electronic coupon (e.g., see paragraph 0018, wherein advertisements via Internet and PDA related media implicitly encompass electronic coupons), extra advertising information (e.g., see paragraph 0016 regarding customized advertisements), or is stored in a portable device for review by the consumer after advertising information has been disseminated (e.g., see paragraph 0018 regarding storage in a PDA). As discussed above, the teachings of Freeman provide improved compatibility between advertisements and user preferences for media viewing (e.g., see paragraph 0008). Thus, at the time of the invention one of ordinary skill in the art would be motivated to apply the teachings of Freeman to the system of Kunkel in order to provide improved compatibility between advertisements and user preferences for media viewing.

Claims 1-47 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed, specifically, a handheld media delivery device, can be made or used in industry.

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CLAIMS

What is Claimed is:

1. A portal system employing a handheld media delivery device, comprising:

an input adapted to receive a request for additional media content from the handheld media delivery device, wherein the handheld media delivery device is adapted to receive broadcast media content having media content information, adapted to formulate the request based on the media content information, adapted to locally store and queue requests made offline until a connection to the portal is available, adapted to communicate the request for additional media content to the portal system, adapted to receive the additional media content from the portal system, and adapted to deliver the additional media content to a consumer;

a retrieval mechanism adapted to retrieve additional media content based on the request; and

an output adapted to communicate the additional media content to the handheld media delivery device, thereby supplementing the media content.

2. The system of claim 1, comprising a request parser adapted to parse the request.

3. The system of claim 1, wherein said output is adapted to acknowledge the request by sending an acknowledgement to the handheld media delivery device.

4. The system of claim 1, comprising a data packetizer adapted to packetizing the media content.

5. The system of claim 4, wherein said output is adapted to send a packet to the handheld media delivery device.

6. The system of claim 1, wherein said retrieval mechanism is adapted to retrieve the additional media content from local server memory.

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7. The system of claim 1, wherein said retrieval mechanism is adapted to retrieve the additional media content from a remote location via a communication system.

8. The system of claim 1, comprising a user profile manager adapted to update a user profile based on the request.

9. The system of claim 8, comprising a back channel adapted to communicate the user profile to a media content provider.

10. The system of claim 9, wherein said input is adapted to receive a request based on media content information targeted to the user profile.

11. A handheld media delivery device adapted to request additional media content from a portal system; comprising:

an input adapted to receive broadcast media content having media content information, and adapted to receive additional media content from a portal system adapted to receive a request from the handheld media delivery device, wherein the portal system is adapted to retrieve additional media content based on the request, and adapted to communicate the additional media content to the handheld media delivery device;

a request processor adapted to formulate the request for additional media content based on the media content information and adapted to locally store and queue requests made offline until a connection to the portal is available;

an output adapted to communicate the request for additional media content to the portal system; and

a user interface adapted to deliver the additional media content to a consumer, thereby supplementing the media content.

12. The device of claim 11, wherein said input is adapted to receive an acknowledgement of the request from the portal system.

13. The device of claim 12, comprising a request status manager adapted to update a status of the request based on the acknowledgment.

14. The device of claim 13, wherein said user interface is adapted to communicate the status of the request to the consumer.

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15. The device of claim 11, wherein said request processor is adapted to check an incoming return message.

16. The device of claim 11, wherein said input is adapted to receive additional media content as packetized data.

17. The device of claim 16, wherein said request processor is adapted to unpacketize the packetized data.

18. The device of claim 11, comprising a request parser adapted to parse an identification of the request associated with the additional media content.

19. The device of claim 11, comprising a request status manager adapted to update a status of the request based on receipt of the additional media content.

20. The device of claim 19, wherein said user interface is adapted to communicate the status of the request to the consumer.

21. The device of claim 11, wherein said request processor is adapted to determine whether a connection to the portal system is available, queue requests locally, and store requests until the connection is available.

22. A method of operation for a portal system employing a handheld media delivery device, comprising:

receiving a request for additional media content from the handheld media delivery device, wherein the handheld media delivery device is adapted to receive broadcast media content having media content information, adapted to formulate the request based on the media content information, adapted to locally store and queue requests made offline until a connection to the portal is available, adapted to communicate the request for additional media content to the portal system, adapted to receive the additional media content from the portal system, and adapted to deliver the additional media content to a consumer;

retrieving additional media content based on the request; and

communicating the additional media content to the handheld media delivery device, thereby supplementing the media content.

23. The method of claim 22, comprising parsing the request.

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24. The method of claim 22, comprising acknowledging the request by sending an acknowledgement to the handheld media delivery device.

25. The method of claim 22, comprising packetizing the media content.

26. The method of claim 25, wherein said communicating includes sending a packet to the handheld media delivery device.

27. The method of claim 22, wherein said retrieving includes retrieving the additional media content from local server memory.

28. The method of claim 22, wherein said retrieving includes retrieving the additional media content from a remote location via a communication system.

29. The method of claim 22, comprising updating a user profile based on the request.

30. The method of claim 29, comprising communicating the user profile to a media content provider.

31. The method of claim 30, wherein said receiving a request includes receiving a request based on media content information targeted to the user profile.

32. A method of operation for a handheld media delivery device adapted to request additional media content from a portal system; comprising:

receiving broadcast media content having media content information;

formulating a request for additional media content based on the media content information;

locally storing and queueing requests made offline until a connection to the portal is available;

communicating a request for additional media content to a portal system adapted to receive the request from the handheld media delivery device, adapted to retrieve additional media content based on the request, and adapted to communicate the additional media content to the handheld media delivery device;

receiving the additional media content from the portal system; and

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delivering the additional media content to a consumer, thereby supplementing the media content.

33. The method of claim 32, comprising receiving an acknowledgement of the request from the portal system.

34. The method of claim 33, comprising updating a status of the request based on the acknowledgment.

35. The method of claim 34, comprising communicating the status of the request to the consumer.

36. The method of claim 32, wherein said receiving the additional media content includes checking an incoming return message.

37. The method of claim 32, wherein said receiving the additional media content includes receiving packetized data.

38. The method of claim 37, wherein said receiving the additional media content includes unpacketizing the packetized data.

39. The method of claim 32, wherein said receiving the additional media content includes parsing an identification of the request associated with the additional media content.

40. The method of claim 32, wherein said receiving the additional media content includes updating a status of the request based on receipt of the additional media content.

41. The method of claim 40, wherein said receiving the additional media content includes communicating the status of the request to the consumer.

42. A method of advertising, comprising:

disseminating advertising information to a consumer while concurrently delivering reward information to a portable device controlled by said consumer and adapted to locally store and queue requests made offline until a connection to a portal is available, said reward information inducing the consumer to give attention to said advertising information.

43. The method of claim 42 wherein said reward information is an electronic coupon.

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44. The method of claim 42 wherein said reward information is extra information about the advertising information.

45. The method of claim 42 wherein said advertising information is disseminated from a broadcast source.

46. The method of claim 42 wherein said reward information constitutes additional advertising information.

47. The method of claim 42 wherein said reward information is stored in said portable device for review by the consumer after said advertising information has been disseminated.

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